



# Legislative Research Council

## Rules Review Committee Agenda

Senator Mike Vehle, Chair  
Representative Timothy Johns, Vice Chair

Three hundred fifty-first meeting  
Monday  
August 17, 2015

Room 414  
State Capitol  
Pierre, South Dakota

### Other DDN Site Locations:

University Center  
4801 N. Career Ave., Room FADM 145  
Sioux Falls, South Dakota

Black Hills State University  
1200 University Station, Room LIB 11  
Spearfish, South Dakota

*Agencies are asked to have a representative present at the meeting  
to give background information on their rules.*

10:00 a.m. CT      Call to order, roll call, approval of minutes, and staff report  
9:00 a.m. MT

Review of proposed rules

### Senator Vehle

Department of Agriculture: Division of Ag Development – Adopt rules to establish a Water Drainage Mediation program.

Department of Game, Fish and Parks – Amend Waterfowl Hunting Seasons rules to decrease the daily bag limit for scaup from 3 to 2 contingent upon approval by the U.S. Fish and Wildlife Service; increase the number of hunting days for white-fronted geese from 72 to 86 consecutive days contingent upon approval by the U.S. Fish and Wildlife Service, and remove the bald eagle (*Haliaeetus leucocephalus*) from the list of state threatened birds.

Department of Transportation – Amend a Speed Limits rule in Campbell County on Highway 10 in Pollock; amend a Speed Limits rule in Jackson County on Highway 44 in Interior and south of the Badlands National Park boundary; and adopt Movement of Oversize or Overweight Vehicles rules to create an extended period emergency declaration permit and an extended period emergency declaration fleet permit.

### Representative Johns

Department of Education: Board of Education – Amend a Career and Technical education rule to increase the postsecondary technical institute per student allocation to the level set for fiscal year 2016 by the Legislature; repeal an Application for Certificate rule regarding revoking, suspending, or voiding a certificate; amend Certification rules to clarify the test required to obtain a 7-12 mathematics endorsement and create a 7-12 intermediate mathematics endorsement; amend a Certificate Denial and Discipline Procedures rule to detail the procedures for the denial of an application for a certificate, the duration of an order imposing discipline, the procedures for

reinstatement, and the public or private nature of disciplinary records; and repeal the tuition equalization grant program, Robert C. Byrd honors scholarship program, Christa McAuliffe fellowship program, school term length grades 1-3, and teacher compensation program rules.

### **Senator Bradford**

Department of Labor and Regulation: Division of Banking: SD Public Deposit Protection Commission – Amend rules to modify the information required to be reported by public depositories to include the amount and number of public demand and time deposits over the amount of deposit insurance provided by the FDIC rather than the total amount and number of public demand and time deposits, remove trust companies from the list of entities eligible to receive public deposits, correct typographical errors, make certain form and style edits, and specify the information that must be reported to the commission for any certificate of deposit pledged to secure public deposits, eliminate the requirement that liability reports to the Public Deposit Protection Commission be sworn before a notary, delete an outdated cross-reference, add certificates of deposit to the existing process for pledging eligible collateral, change the value of surety bonds pledged as security for public deposits from 110% of the value of the public deposits to be secured to 100%, change the required value of eligible collateral pledged as security for public deposits from 110% of the value of the public deposits to be secured to 100%, delete an outdated statutory reference, and allow certificates of deposits to be pledged as eligible collateral by public depositories.

Department of Revenue: SD Lottery Commission – Amend a rule to allow a change to the Powerball game matrix and include the 10X multiplier for Power Play in certain defined instances.

### **Senator Heineman**

Department of Public Safety – Amend rules to increase the amount of time allowed to appeal an administrative driver license action, to repeal unnecessary driver license rules, update commercial driver license language to conform to federal standards and 2015 legislation, update the prorated fees for licenses or identification cards issued to those under 21, and update the adoption of Commercial Vehicle Safety Alliance standards.

### **Committee Discussion**

SDCL 1-26 requirements – discussion continued from July 2015 meeting regarding information in final rules package submitted to the committee.

12:30 p.m. Adjourn

\* Breaks will be at the call of the chair.

**NOTE:** A copy of the proposed rules being reviewed at the meeting may be obtained without charge by contacting the department, board, or commission. Copies may also be available at <https://rules.sd.gov/default.aspx>.

**Members:** Senator Mike Vehle (Chair); Representative Timothy Johns (Vice Chair); Senators Jim Bradford and Phyllis Heineman; and Representatives Peggy Gibson and Jean Hunhoff.

*This meeting is being held in a physically accessible location. Any individual needing assistance, pursuant to the Americans with Disabilities Act, should contact the Legislative Research Council (605-773-3251) in advance of the meeting to make further arrangements.*

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